

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF	)	
CHESAPEAKE UTILITIES CORPORATION	)	
FOR APPROVAL OF ITS ENVIRONMENTAL	)	PSC DOCKET NO. 18-1176
RIDER RATE "ER" TO BE EFFECTIVE	)	
DECEMBER 1, 2018	)	
(FILED NOVEMBER 1, 2018)	)	

**ORDER NO. 9296**

**AND NOW**, this 29<sup>th</sup> day of November 2018, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on November 1, 2018, Chesapeake Utilities Corporation ("Chesapeake" or the "Company") filed the above-captioned application ("Application") with the Commission seeking approval of its Environmental Rider ("ER") under the process approved in PSC Order No. 4104 (December 19, 1995) in Docket No. 95-73, which authorized an annually adjusted surcharge mechanism to allow the Company to recover the expenses it has incurred or will incur for remediation of environmental damage liabilities; and

**WHEREAS**, in its Application, Chesapeake seeks to continue its current ER rate of a positive surcharge rate of \$0.0004 per Ccf for all firm delivery service customers; and

**WHEREAS**, the Commission having determined, pursuant to 26 Del. C. §§ 304(a) and 306(a)(2), to permit the proposed ER rate to become effective on and after December 1, 2018, on a temporary basis, subject to refund, pending the completion of full evidentiary hearings concerning the proposed continued surcharge rate and the Commission's final decision;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 Del. C. §§ 304(a) and 306(a)(2) and the process set forth in PSC Order No. 4104 (December 19, 1995), the proposed rate of a positive surcharge rate of \$0.0004 per Ccf for all firm delivery service customers is hereby approved to become effective for gas usage on and after December 1, 2018, with proration and subject to refund pending further review and the Commission's final decision.

2. The Commission will conduct an evidentiary hearing on the Application during its regularly-scheduled meeting on **Tuesday, March 5, 2019, starting at 1:00 p.m.** at 861 Silver Lake Boulevard, 1<sup>st</sup> Floor Hearing Room, Cannon Building, Dover, Delaware 19904.

3. As outlined in the form of Public Notice, interested persons or entities are afforded the opportunity to file comments or objections to the proposed ER rate. Such comments or objections must be filed **on or before Friday, January 18, 2019**. In addition, the Commission will accept public comments on the Application immediately prior to the commencement of the evidentiary hearing on March 5, 2019.

4. Pursuant to 26 Del. C. § 502 and 29 Del. C. ch. 101, the Commission designates Hearing Examiner Glenn C. Kenton for the sole purpose of considering any petitions for intervention that may be filed in this docket.

5. Chesapeake shall provide public notice of the filing of its Application, this Order, and the dates of the public comment session and the evidentiary hearing by publishing notices, in the form attached hereto as **Exhibit "A"** in two-column format, outlined in black, in the legal classified sections of The News Journal and the Delaware State News

newspapers as early as possible during the week of December 10, 2018. Proof of such publication is to be provided to the Commission as soon as practical but not later than the commencement of the evidentiary hearing concerning this matter.

6. The deadline for intervention pursuant to 26 *Del. Admin C. §* 1001-2.9 shall be **Friday, January 18, 2019**. Petitions for intervention that are not received by the Commission **on or before Friday January 18, 2019**, will not be granted unless good cause is shown. In addition, any intervenor must file written pre-filed testimony with the Commission, pursuant to the Commission's rules, on or before **Friday, February 8, 2019**. Copies of such testimony must be served on the following persons:

Thomas D. Walsh, Esquire  
Deputy Attorney General  
Delaware Department of Justice  
820 N. French Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 577-8319  
ThomasD.Walsh@state.de.us

Connie S. McDowell  
Senior Regulatory Policy  
Administrator  
Delaware Public Service Commission  
861 Silver Lake Blvd., Suite 100  
Dover, DE 19904  
(302) 736-7532  
Connie.mcdowell@state.de.us

Regina A. Iorii, Esquire  
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Delaware Department of Justice  
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Wilmington, DE 19801  
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Andrea B. Maucher  
Public Utility Analyst  
Division of the Public Advocate  
29 South State Street  
Dover, DE 19901  
(302) 241-2545  
andrea.maucher@state.de.us

William F. O'Brien, Esquire  
Associate General Counsel  
Chesapeake Utilities Corporation  
114 Sandhill Drive, Suite 105  
Middletown, DE 19709  
(302) 314-7014  
bobrien@chpk.com

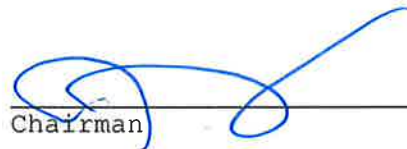
Marie E. Kozel  
Regulatory Analyst III  
Chesapeake Utilities Corporation  
500 Energy Lane, Suite 100  
Dover, DE 19901  
(302) 241-6594  
mkozel@chpk.com

Written pre-filed testimony sent by an intervenor that is not received by the Commission **on or before February 8, 2019**, will not be considered.

7. Chesapeake is hereby put on notice that it will be charged the costs incurred by Commission Staff and the Division of the Public Advocate in connection with this proceeding per 26 Del. C. § 114(b)(1).

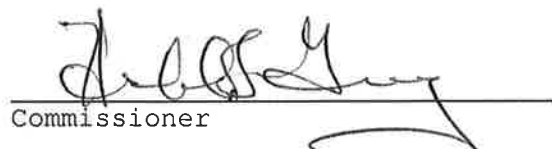
8. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

  
Chairman


  
Commissioner

\_\_\_\_\_  
Commissioner

  
Commissioner

  
Commissioner

ATTEST:

  
Secretary



**E X H I B I T "A"**

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**P U B L I C   N O T I C E**

**TO:   ALL NATURAL GAS CUSTOMERS OF CHESAPEAKE UTILITIES CORPORATION AND  
OTHER INTERESTED PERSONS**

The Delaware Public Service Commission ("Commission") will conduct a public comment session and evidentiary hearing concerning the above-captioned case (as further explained below) at the following time and location:

<b><u>Date &amp; Time</u></b>	<b><u>Location</u></b>
<b>Tuesday, March 5, 2019 at 1:00 p.m.</b>	<b>Hearing Room Delaware Public Service Commission 861 Silver Lake Boulevard Cannon Building, 1<sup>st</sup> Floor Dover, DE 19904</b>

**Chesapeake Utilities Corporation's Environmental Rider Rate**

Pursuant to the environmental remediation recovery mechanism approved in PSC Order No. 4104 (December 19, 1995) in PSC Docket No. 95-73, Chesapeake Utilities Corporation ("Chesapeake") has filed an application ("Application") with the Commission proposing to continue the Environmental Rider ("ER") surcharge of \$0.0004 per Ccf for all firm delivery customers. The rate will become effective with usage on and after December 1, 2018, with proration, subject to modification and refund after an evidentiary hearing.

For a typical residential heating customer using 120 Ccf of gas per month, there will be no change in the monthly bill.

By **Order No. 9296** dated November 29, 2018, the Commission approved the proposed rate to become effective with usage on and after December 1, 2018, with proration, subject to modification and refund after an evidentiary hearing.

You are invited to review Chesapeake's Application and supporting documents to determine how your interests may be affected by going to DelaFile (<https://delafile.delaware.gov>), the Commission's file management system, and searching for Docket No. 18-1176.

Interested persons or entities are afforded the opportunity to file comments or objections to the proposed ER rate. Such comments or objections shall be filed **on or before January 18, 2019** using DelaFile.

If you wish to formally participate as a party in this matter, with the right to present evidence and be represented by counsel, you must file with the Commission a petition for leave to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (26 Del. Admin. C. § 1001-2.9) **on or before January 18, 2019**. All such petitions should be also be filed in DelaFile according to the Commission's Rules (26 Del. Admin. C. § 1001-1.6.4). Petitions for intervention that are not received by the Commission **on or before January 18, 2019**, will not be granted unless good cause is shown. If intervention status is granted, any intervenor wishing to oppose the Application must file pre-filed testimony with the Commission on or before **February 8, 2019**. Any submissions sent by an intervenor that are not received by the Commission **on or before February 8, 2019**, will not be considered.

Such submissions shall be filed using DelaFile to be served on the persons identified in **Order No. 9296** in this docket.

On **March 5, 2019, starting at 1:00 p.m.**, the Commission will consider whether to grant Chesapeake's Application. The evidentiary hearing will be held at the Commission's office located at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware 19904. The Commission will render a decision based upon the evidence presented to it at this evidentiary hearing. In addition, the Commission will accept public comments on the Application immediately prior to the commencement of the evidentiary hearing on March 5, 2019.

If you would like to review documents at the Commission's offices, please contact Donna Nickerson at (302) 736-7500 or by sending an email addressed to [donna.nickerson@state.de.us](mailto:donna.nickerson@state.de.us). You may also review copies of Chesapeake's Application and supporting documents at the office of the Division of the Public Advocate located at either 820 North French Street, 4th Floor, Wilmington, Delaware 19801, or 29 South State Street, Dover, Delaware 19901. Please call either (302) 577-5077 or (302) 241-2555 to arrange for a time to review the documents at either of those locations.

If you wish to request copies of documents in this matter, please submit a Freedom of Information Act Request Form. The link to this form can be found on the Commission's website, <https://dep.sc.delaware.gov>, or by visiting this web address [https://delaware.gov/help/foia\\_request.shtml?subj=DOS](https://delaware.gov/help/foia_request.shtml?subj=DOS). The Commission will respond to your request in accordance with the Delaware Freedom of Information Act, 29 Del. C. ch. 100.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone), by Internet e-mail, or other means.

If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions regarding this matter by Internet e-mail addressed to [connie.mcdowell@state.de.us](mailto:connie.mcdowell@state.de.us).